

Ref.No.39201/78/K2  
Dated 24-3-78.

Office of the Chief Conservator  
of Forests, A.P.Hyderabad.

Sri P.S.Rao, I.F.S.,  
Chief Conservator of Forests.

CIRCULAR NO.6/78

Sub:-DISCIPLINARY CASTS - Appeals and Memorials -  
Denovo enquiry cases, regularisation of  
absence period and periods of suspension -  
Regarding.

1. Under F.R.54 (1), when a Government servant who has been dismissed, removed or compulsorily retired is reinstated as a result of appeal or review or would have been so reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement the authority competent to order reinstatement shall consider and make a specific order.

a) Regarding pay and allowances to be paid to the Government Servant for the period of his absence from duty including period of suspension preceding his dismissal, removal or compulsory retirement as the case may and  
(b) whether or not the said period shall be treated as a period spent on duty.

2. Under the above Rules, if the Delinquent officer is fully exonerated of the charges, the intervening period between date of dismissal and reinstatement and the periods of suspension has to be treated as duty and full pay and allowances paid and if the delinquent officer is not fully exonerated and is inflicted with a punishment of any kind referred to in rules 8 and 9 of Andhra Pradesh Classification, Control and Appeal Rules, the competent authority has to decide the payment of proportionate pay and allowances due to him as required under F.R. 54 (4).

3. It is noticed that whenever the Conservators of Forests submit the appeals and memorials with their remarks for final decision of Chief Conservator of Forests, they are not furnishing the particulars of intervening periods if any and the periods of suspension to be regularised and the particulars of pay and allowances to be paid to enable Chief Conservator of Forests to take correct decision.

4. Similarly when findings are submitted to Chief Conservator of Forests in respect of denovo enquiry cases, the Enquiry Officers are not furnishing the particulars of Intervening periods between date of dismissal and reinstatement and the periods of suspension preceding dismissal together with financial implications i.e., pay and allowances etc., to be paid to enable the Chief Conservator of Forests to take correct decision in the matter.

P.T.O.,



6. It is therefore impressed on all the Conservators of Forests that whenever they submit appeals and memorials to Chief Conservator of Forests and findings in respect of denovo enquiry cases and other disciplinary cases, they should invariably furnish the particulars referred to in paras 3 to 5 above to enable Chief Conservator of Forests to take correct decision.

Sd/- P. S. Rao,  
Chief Conservator of Forests.

FOREST DEPARTMENT TEST - FOREST LAW  
SHORT NOTES

Purposes for which issued:- Search warrants may be issued for any of the following purposes viz -

- i) Production of a document or a thing
- ii) Search of a house or premises suspected to contain stolen property, forged documents etc.
- iii) Seizure of any forfeited publication and
- iv) discovery of persons wrongfully confined.

In the case of forest offences, search warrants are issued mostly for reasons mentioned in item (ii) above and occasionally for those mentioned in items (i) and (iv)

The Forest Officers may themselves be authorised to issued search warrants under Sec. 62(b)(ii) of A.P. Forest Act. The Divisional Forest Officers are empowered to issue search warrants in respect of forest offences.

Seizure:- Any Forest Officer or Police Officer has the power to seize the forest produce which is suspected to be the subject of an offence and also all tools, boats, carts or cattle used in the commission of such offence (Sec.44).

Every such officer so seizing the property has to affix a distinguishable mark (normally a hammer mark) on the seized property and immediately make a report of seizure to the magistrate having jurisdiction to try the offence if the accused is not willing to pay the "C" fees - . In other case it is sufficient if the detecting subordinate reports the fact of the case to his official superior.